

# Prometheus Radio Project

*flame filching, wave snatching, people-powered radio!*

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1/15/2007

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In the Matter of	)	
Revision of Procedured Governing Amendments	)	MB Docket 05-210
To FM Table of Allotments and Changes	)	RM-10960
Of Community Of License In The Radio Broadcast	)	
Services	)	

Statement of the Prometheus Radio Project in Support of Petition of Reconsideration in MB Docket 05-210

Prometheus Radio Project supports the Petition for Reconsideration of William B. Clay. The concerns raised by Clay, Prometheus and other parties in the rulemaking were not addressed in any substantive way by the final report and order of the Commission. As stated in our comments, Prometheus remains concerned that allowing Changes of Community of License (CCOL) as a minor amendment will lead to further rural to urban migration of radio stations. Because our stations are secondary services, we fear that many low power FM channels will be displaced or forced to accept greater interference as full power broadcasters have expedited ability to hustle towards the cities.

The harms suffered by low power stations, whom we represent, as the result of the outcome of this rulemaking are substantial and of potentially widespread scale. REC Networks and William Clay made substantive showings in comments that CCOL are often abused in order to move radio stations from rural to urban areas. The Commission's implementation of the Tuck Criteria has not been adequate in the past to prevent misuse of the CCOL process. Evidence of this was ignored in the rulemaking, and the Commission chose not to make any substantive changes to these criteria. The Commission did not refute or explain it's decision with reference to this evidence.

We believe that the Commission needs to substantively address the arguments and evidence brought to bear in the rulemaking before making permanent changes to the process of making Changes of Community of License. We join William Clay in this call to the Commission to postpone implementation and reconsider the final Report and Order.